

Attorney's Docket No.:10559/043001/P7397/Intle Corporation  
Application Number 09/430,691  
Reply dated September 3, 2003  
Reply to Office action of July 10, 2003

REMARKS

Claims 1-4, 7-8, 10-12, 14, and 20-23 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Sung et al. U.S. Patent No. 6,226,684 (Sung) in view of Admitted Prior Art (APA). This contention is respectfully traversed. To establish a prima facie case of obviousness, three basic criteria must be met: (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine reference teachings, (2) there must be a reasonable expectation of success, and (3) the combined prior art references must teach or suggest all the claim limitations. See MPEP 706.02(j).

The APA referred to is figure 1, and page 4, lines 3-10 of the present specification. These portions of the present specification describe a traditional distributed component object model architecture, where reusable program building blocks can be combined with one another in a distributed network to form an application, provided that identifiers for the reusable program building blocks, and a network name for a server to provide any remote program building blocks, are known

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(i.e., this information is present on the client at the time of program object creation).

The present claims define systems and techniques whereby a client can generate activation requests to be fulfilled by a server, even if the client lacks information about any specific server that can process such requests. This allows client nodes to create remote components on available server nodes without monitoring the state of the network, where the remote components comprise reusable program building blocks that are combinable with one or more other components in a distributed network to form an application.

Sung teaches a method of "reestablishing connections between a particular client and a particular server by multiple routers." (See Sung at col. 13, lines 42-43.) Once a client is assigned to a particular server inside a server bank by a router, this assignment is saved for future use (in a "sticky" Internet Protocol (IP) cache table in the router), and this assignment of a client to a server is multicast to other routers in a collection of routers. Thus, when the client requests additional information from the server bank by sending a request to a router in the collection of routers at a later time, the same server in the server bank handles that information request,

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which can reduce excessive data caching in the server bank.  
(See Abstract; col. 1, line 7 to col. 2, line 32; and col. 5,  
lines 21-27.)

With respect to the first criteria necessary to establish a *prima facie* case of obviousness, no effective suggestion or motivation to combine APA with Sung has been identified, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. The proposed motivation to combine is stated as follows: "because it would have an efficient communications system that can reuse or share a program with other components in the network servers." However, attempting to implement a distributed component object model architecture using Sung's techniques for reestablishing connections between a particular client and a particular server by using multiple routers, would in fact be a very inefficient approach, and hence, one which would not be selected by one having ordinary skill in the art for this reason.

Adding multiple routers, each with their own sticky IP cache table, as taught by Sung, to a distributed component object model architecture would add complexity and inefficiency to the architecture without any apparent corresponding benefit. The clients in such a combination would still need to have

Attorney's Docket No.:10559/043001/P7397/Intle Corporation  
Application Number 09/430,691  
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stored a network address for at least one of the routers before a program object, which corresponds to a remote component provided by one of the servers, could be created.

Moreover, even if the hypothetical combination of Sung and APA were made, this combination would still not teach or suggest all the claim limitations.

Independent claim 1 requires a server node operating to enable the client node to activate remote components on available server nodes without specific names or capabilities of nodes in the network servicing the requests as claimed. As described above, nothing in Sung in view of APA teaches or suggests this feature.

With respect to claim 23, the hypothetical combination would not result in client nodes configured to be able to request activation of remote components at run-time without specific names or capabilities of nodes servicing those requests as claimed. If the proposed combination of Sung and APA could be made to enable a client node to activate remote components without specific names or capabilities of nodes servicing those requests, it would be the routers and not the servers or clients that would provide such flexibility, due to the very nature of the invention in Sung.

Attorney's Docket No.:10559/043001/P7397/Intle Corporation  
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With respect to independent claims 7, 14, 20 and 22, the proposed combination would not teach or suggest multicasting a machine-independent activation request to the network as claimed. The multicasting taught by Sung involves multicasting from one router to other routers information indicating the assignment of a client to a server. (See col. 2, lines 14-16; and col. 11, lines 31-42.) With respect to independent claims 10 and 21, the proposed combination would not teach or suggest monitoring, at a server, a specific port to receive a machine-independent client activation request. The server port referred to in Sung is used for all communications from the client.

For all of these reasons, it is respectfully suggested that a prima facie case of obviousness has not been established. Thus, it is respectfully suggested that independent claims 1, 7, 10, 14, and 20-22 should be allowable. Dependent claims 2-4, 8, and 11-12 are patentable based on the above arguments and their own merits. Therefore, it is respectfully suggested that all pending claims, 1-4, 7-8, 10-12, 14, and 20-23, are now in full condition for allowance, and an official notice of allowance is requested to issue at an early date.

Attorney's Docket No.:10559/043001/P7397/Intel Corporation  
Application Number 09/430,691  
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Respectfully submitted,

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